

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

WILLIAM BELLAMY, ADAM COVINGTON	)	
VERNON MCKINNON, MICHAEL	)	
MEGINNIS, TROY SORRELL and MICHAEL	)	
WILLIAMS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	1:12-cv-00618
	)	
CITY OF ROCKINGHAM, NORTH	)	
CAROLINA,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the court on the Joint Motion to Approve Settlement filed by the parties to this action resolving the Fair Labor Standards Act claims asserted in this action. (Doc. 31.) Lynn's Food Stores, Inc. v. United States, 679 F.2d 1350, 1353 (11th Cir. 1982).

After having reviewed the pleadings in this matter and the prior case (the *Barber* lawsuit, referenced in the Complaint) and having heard from counsel for the parties, the court, for the reasons set forth below, APPROVES this settlement.

Counsel explained the nature of the FLSA claims in controversy, which centered primarily on whether the Defendant's decision to modify the Plaintiffs' salary arrangement subsequent to settlement of the *Barber* lawsuit violated the anti-retaliation provisions of

the FLSA. Counsel pointed out that the Defendant City, while disputing liability, has agreed to pay back pay covering the entire disputed period, as well as making certain other concessions to the Plaintiffs.

Counsel also pointed out that the City's "fluctuating workweek" salary system was examined thoroughly in the *Barber* lawsuit. The one defect in the firefighters' salary plan which all parties in the *Barber* case agreed was present (the failure to include longevity pay in the calculation of the "regular rate") was appropriately addressed by the City.

The court finds that the settlement is a reasonable compromise over contested issues. The court further finds that the amount of attorney's fees and costs is reasonable.

/s/ Thomas D. Schroeder  
United States District Judge

March 18, 2013